WPP-47

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೭	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಮಾರ್ಚ್ ೨೯, ೨೦೧೨, (ಚೈತ್ರ ೯, ಶಕ ವರ್ಷ ೧೯೩೪)	ಸಂಚಿಕೆ ೧೩

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 12 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್ 2012

2012ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Cost and Works Accountants (Amendment) Act, 2011 (No. 10 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, Dated the 13th January, 2012/Pausa 23, 1933 (Saka)

The following Act of Parliament received the assent of the President on the 12th January, 2012, and is hereby published for general information:-

THE COST AND WORKS ACCOUNTANTS (AMENDMENT) ACT, 2011

(No. 10 of 2012)

(12th January 2012)

An Act further to amend the Cost and Works Accountants Act, 1959.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:- .

Short title and commencement. 1. (1) This Act may be called the Cost and Works Accountants (Amendment) Act, 2011

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 2.- 2.In Section 2 of the Cost and Works Accountants Act, 1959 (hereinafter referred to as the principal Act),- (23 of 1959).

(i) in sub-Section (1),-

(I) after Clause *(e),* the following clause shall be inserted, namely:-

'*(ea)* "firm" shall have the meaning assigned to it in Section 4 of the Indian Partnership Act, 1932, (9 of 1932) and includes,-

(i) the limited liability partnership as defined in Clause *(n)* of sub-Section (1) of Section 2 of the Limited Liability Partnership Act, 2008; or .

(ii) the sole proprietorship,

registered with the Institute;';

(II) in clause (f), for 1he words" Institute of Cost and Works Accountants of India", the words "Institute of Cost Accountants of India" shall be substituted;

(III) after clause *(fa),* the following clauses, shall be inserted, namely:-

'*(fb)* "partner" shall have the meaning assigned to it in Section 4 of the Indian Partnership Act, 1932 (9 of 1932) or in Clause *(q)* of sub-Section (1) of Section 2 of the Limited Liability Partnership Act, 2008, as the case may be; (6 of 2009).

(fc) "partnership" means-

(A) a partnership as defined in Section 4 of the Indian Partnership Act, 1932; or (9 of 1932)

(B) a limited liability partnership which has no company as its Partner;';

(IV) after clause *(ia),* the following clause shall be inserted, namely:-

'*(iaa)* "sole proprietorship" means an individual who engages himself in the practice of cost accountancy or offers to perform services referred to in clauses *(ii)* to *(iv)* of sub-Section (2);';

(ii) in sub-Section (2),-

(a) after the words "in partnership with one or more members of the Institute in practice", the words "or in partnership with members of such other recognised professions as may be prescribed" shall be inserted;

(b) in Clause (i), for the words "cost and works accountancy", the words "cost accountancy" shall be substituted;

(*c)* in Clause *(ii),* for the words "certification of cost accounting and related statements or holds himself out to the public as a cost accountant in practice", the words "certification or auditing of cost accounting and related statements or holds himself out to the public as a cost accountant in practice" shall be substituted.

Amendment of section 3. 3. In section 3 of the principal Act, in sub-section (1), for the words "Institute of cost and works Accountants of India" , the words "Institute of Cost Accountants of India" shall be substituted.

Amendment of section 5. 4. In section 5 of the principal Act.-

(a) in sub-Section (2),-

(i) for the letter: "AICWA", the letters "ACMA" shall be substituted;

(ii) for the words "Institute of Cost and Works Accountants", the words "Institute of Cost Accountants of India" shall be substituted;

(b) in sub-Section (5),-

(i) for the letters "FICWA", the letters "FCMA" shall be substituted;

(ii) for the words "Institute of Cost and Works Accountants", the words "Institute of Cost Accountants of India" shall be substituted.

Amendment of section 22A. 5, In Section 22A of the principal Act, for the words "Institute of Cost and Works Accountants of 1ndia", the words "Institute of Cost Accountants of India" shall be substituted.

Amendment of section 25. 6. In Section 25 of the principal Act, in sub-Section (f), in Clause *(iii),* for tbe words "cost and works accountants", the words "cost accountants" shall be substituted.

Amendment of section 26. 7. In Section 26 of the principal Act, in sub-Section (1), the following *Explanation* shall be inserted, namely:-

'Explanation.-For the removal of doubts, it is hereby declared that the "company" shall include any limited liability partnersbip which has company as its partner for the purposes of this section.'.

8. In the First Schedule to the principal Act, in Part I, in item (7), for the words Amendment of "Institute of Cost Accountants of India", the words "Institute of Cost Accountants of First Schedule. India" shall be substituted.

V.K. BHASIN
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -09

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್ 2012

2012ನೇ ಸಾಲಿನ ಜನವರಿ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Petroleum and minerals Pipelines (Acquisition of Right of User in Land) (Amendment) Act, 2011 (No. 9 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NewDelhi, the 13th January, 20121 Pausa 23, 1933 (Saka)

The following Act of Parliament received the assent of the President on the 12th January, 2012, and is hereby published for general information:-

THE PETROLEUM-AND MINERALS PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT ACT, 2011

(No. 9 of 2012)

[12th January, 2012.]

An Act further to amend the Petroleum and Minerals Pipelines (Acquisition of *Right* of user in Land) Act, 1962.

BE-it.enacted-by-Parliament in the Sixty-second Year of the Republic of India as follows:-

Short title and commencement. 1. (1) This Act may be called the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Amendment Act, 2011.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Substitution of new Sections for Sections 15 and 16 penalty. 2. For sections 15 and 16 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962) the following sections shall be substituted, namely:-

"15. (1) Whoever wilfully obstructs any person in doing any of the acts authorised by section 4 or section 7 or section 8 or wilfully fills up, destroys, damages or displaces any trench or mark made under section 4 or wilfully does any act prohibited under section 9, shall be punishable with imprisonment for a term which may extend to six months or with fme or with both.

(2) Whoever wilfully makes or causes to make any unauthorised connection. with or removes, destroys, damages or displaces any pipeline laid under section 7, or wilfully inserts any device to extract petroleum product or minerals from such pipeline, or wilfully disrupts supplies being made through the pipeline, shall be punishable with rigorous imprisonment for a term which may extend to ten years and shall also be liable to fine.

(3) If any person convicted of an offence under sub-Section (2) is again convicted . of an offence under the same provision, he shall be punishable with rigorous imprisonment for the second and for every subsequent offence for a term which shall not be less than three years but which may extend to ten years:

Provided that the Court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a tern of Iess than three years.

(4) Whoever, with the intent to cause or knowing that he is likely to cause damage to or destruction of any pipeline laid under section 7, causes by fire, explosive substance or otherwise damage to the pipeline being used for transportation of petroleum products, crude oil or gas with the intent to commit sabotage or with the knowledge that such act is so imminently dangerous that it may in all probability cause death of any person or such bodily injury likely to cause death of any person, shall be punishable with rigorous imprisonment which shall not be less than ten years but may extend to imprisonment for life or death.

Certain offences to be cognizable. 16. Notwithstanding anything contained in the Code of Criminal Procedure; 1973, an offence falling under sub-Sections (2), (3) and (4) of Section 15 shall be deemed to be cognizable and non-bailable within the meaning of that Code.

Burden of proof in certain cases. 16A Where any petroleum product together with any tool, vehicle or any item used in committing any such offence under sub-Section (2) or sub-Section (4) of Section 15 are seized under this Act in the reasonable belief that such petroleum product has been stolen from the pipeline laid under section 7, the burden of proving that they are not stolen property shall be, in case where such seizure is made from the possession of any person,-

(l) on the person from whose possession the property was seized, and

(ii) on the person who claims to be the owner thereof, if any person other than the person from whose possession the stolen property was seized.

Presumption regarding property. 16B. When any proceeding taken under this Act, or in 'consequence of anything done under this Act, a question arises as to whether any petroleum product is the property of the corporation, the Court shall presume, unless the contrary is shown, that such petroleum product belongs to the corporation.

Provisions as to bail. 16C. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, no person accused of an offence punishable under sub-Section (4) of Section 15 shall, if in custody, be released on bailor on his own bond unless:- (2 of 1974)

(a) the Public Prosecutor has been given an opportunity to oppose the application for such release; and

(b) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in sub-Section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 or any other law for the time being in force on granting of bail. (2 of 1974)

(3) Nothing contained in this Section shall be deemed to affect the special powers of the High Court regarding bail under section 439 of the Code of Criminal Procedure, 1973. (2 of 1974)

Sections 438 of the Code of Criminal Procedure, 1973 not to apply. 16D. Nothing in Section 438 of the Code of Criminal Procedure, 1973 shall apply in relation to any case involving the crrresf of any person on an accusation of having committed an offence punishable under sub-Section (4) of Section 15.". (2 of 1974)

VK..BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -10

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 16 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್ 2012

2012ನೇ ಸಾಲಿನ ಜನವರಿ 9ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Damodar Valley Corporation (Amendment) Act, 2011 (No. 1 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

. **(Legislative Department)**

New Delhi, the 9th January, 20 *121Pausa* 19, 1933 *(Saka)*

The following Act of Parliament received the assent of the President on the 8th January, 2012, and *is* hereby published for general infonnation:-

THE DAMODAR VALLEY CORPORATION (AMENDMENT)
ACT,2011

(No. 1 OF 2012)

[8th January, 2012.]

Act further to amend the Damodar Valley Corporation Act, 1948.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

Short title and commencement. 1. (1) This Act may be called the Damodar Valley Corporation (Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 4. 2. In section 4 of the Damodar Valley Corporation Act, 1948 (hereinafter referred to as the principal Act), for sub-section (I), the following sub-section shall be substituted. namely:- (14 of 1948).

(I) The Corporation shall consist of -

(*a)* a Chairman;

(b) a member (technical) and a member (finance);

(c) one representative from the Central Government;

(d) two representatives one each from the State Governments of Jharkhand and West Bengal;

(*e)* three independent experts one each from the field of irrigation, water supply and generation or transmission or distribution of electricity; and

(f) a Member-Secretary,

(IA) The Chairman and members under Clauses *(a), (b), (d)* and *(f)* of sub- Section *(I)* shall be appointed by the Central Government in consultation with the State Governments concerned while the members under Clauses *(c)* and *(e)* shall be appointed by the Central Government, by notification in the Official Gazette.

(IB) The Chairman and members under Clauses *(a), (b)* and (f) of sub-Section *(I)* shall be whole-time whilethe members under clauses *(c), (d)* and *(e)* shall be part-time.

*(1*C) The Chairman shall be the Chief Executive Officer of the Corporation.

(ID) Without prejudice to the provisions contained in sub-Section *(IC),* the Member-Secretary shall be in charge of general administration and business development of the Corporation.".

Amendment of section 6. 3. In section 6 of the principal Act; sub-Sections (1) and (2) shall be omitted.

Amendment of section 7. 4. In section 7 ofthe principal Act, Clause *(a)* shall be omitted.

Substitution of new section for section 8. 5. For section 8 of the principal Act, the following section shall be substituted, namely

Functions and duties of members. "8. The functions and duties of the members shall be such as may be prescribed.".

Amendment of section 44. 6. In Section 44 of the principal Act, in sub-section (n, for the words "financial adviser", the words and brackets "member (finance)" shall be substituted.

Amendment of section 59. 7. -In Section 59 of the principal Act,-

(a) in sub-section (1), the words "the secretary-and-the financial adviser" shall be omitted;

(b) in sub-section (2), for the words "financial adviser", the word "members" shall be substituted.

VK..BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -11

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 17 ಕೇಶಾಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಮಾರ್ಚ್ 2012

2012ನೇ ಸಾಲಿನ ಜನವರಿ 9ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Constitution (Scheduled Tribes) Order (Amendment) Act, 2011 (No. 2 of 2012) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

. **(Legislative Department)**

New Delhi, the 9th January, 2012 Pausa 19, 1933 *(Saka)*

The following Act of Parliament received the assent of the President on the 8th January, 2012, and *is* hereby published for general infonnation:-

THE CONSTITUTION (SCHEDULED TRIBES) ORDER

(AMENDMENT) ACT, 2011

(No. 2 OF 2012)

[8th January, 2012.]

An Act further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the States of Manipur and Arunachal Pradesh.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

Short title. (1) This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2011.

Amendment of Parts X and XVIII of Constitution (Scheduled Tribes) Order. 1950. 2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950,-

(a) in Part X, - Manipur,-

(i) for entry 8, substitute,-

"8. Kabui, Inpui, Rongmei",

(ii) for entry 9, substitute-

"9 Kacha Naga, Liangmai, Zemi",

(iii) for entry 10, substitute-

"10 Koirao, Thangal",

(iv) after entry 33, insert-

"34 Mate",

(b) in Part XVIII. – Arunachal Pradesh,-

for entry 5, substitute-

"5, Galo."

V.K. BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -12